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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,518	02/28/2002	Vernon D. Erickson	P1631US01	3841

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EXAMINER

LEA EDMONDS, LISA S

ART UNIT PAPER NUMBER

2835

DATE MAILED: 05/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/086,518

Applicant(s)

ERICKSON ET AL.

Examiner

Lisa Lea-Edmonds

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-14, 16-18 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-14, 16-18 and 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s) _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/24/03 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 16, 17, 20, and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 16, 17, 20 and 21 are indefinite because they depend from a cancel claim. Claims 16 and 17 depend from claim 15 and claims 20 and 21 depend from claim 19; claims 15 and 19 were canceled without prejudice in applicant's preliminary amendment dated 04/24/03. To expedite the prosecution of the case the examiner of record will assume claims 16 and 17 should depend from claim 9, and claims 20 and 21 should depend from claim 12. Therefore the following rejection of claims 16, 17, 20, and 11 is based upon the claims being dependent from claim 9 or claims 12 respectively.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 9-14, 16-18, and 20-23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lee et al.. With respect to claims 9-14, 16-18, and 20-23, it is clear to see from figures 1-7, Lee et al. teaches an electronic device chassis (30) comprising a bracket (32) for mounting two or more storage devices (20, 22, 24, 25) being oriented in a first plane; a hinge (44) for rotatably connection the bracket (32) to the chassis (30) wherein the hinge (44) is configured to rotate the bracket (32) in a closed and open position about a hinging axis in a first plane in a direction perpendicular to the first plane; means for securing the bracket (32) in a closed position; and a locking structure for locking the bracket in a first position. Also, Lee et al. teaches an electronic system (10) comprising; an electronic device chassis (30); a bracket (32) for mounting two or more storage devices (20, 22, 24, 25) being oriented in a first plane; a hinge (44) being oriented parallel to the first plane for rotatably connecting the bracket (32) to the chassis (30); wherein the mounted devices (20, 22, 24, 25) comprises a first device having a front orientated in the first surface and a back surface parallel to the front surface, the back surface having a connector disposed thereon as claimed (see for example figures 1-7). With respect to the hinge structure as claimed, the apparatus of Lee et al. inherently teaches such hinge structure by incorporating US Pat. No. 5,561,893 "Method of Forming a Hinge Structure" (see for example column 4 line 14-20 and US Pat. 5,561,893 issued to the same inventor as the prior art used).

Response to Arguments

5. Applicant's arguments, see page 3, filed 04/24/03, with respect to claims 15 and 19 have been fully considered and are persuasive. The rejection of claims 15 and 19 has been withdrawn. With respect to applicant's remarks concerning the 102 rejection of claims 9-21, applicant is directed to the above 102 rejection. With respect to applicant remarks concerning the dictionary definition of "bracket" used in the previous Office Action, the examiner of record respectfully requests applicant to submit a definition for "bracket" which aptly describes the term as it pertains to the present invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 703-305-0265. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 703-308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-1782.

Lisa Lea-Edmonds
Examiner
Art Unit 2835



May 5, 2003